

EXHIBIT 1



**US Army Corps
of Engineers®**



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Blogpost: Columbia River Basin Fisheries:
Working Together to Develop a Path Forward

The Columbia River and its tributaries are the life spring of the Pacific Northwest. The Columbia River Basin was also once among the most productive aquatic ecosystems in the world with an estimated 7.5 to 16 million adult salmon and steelhead returning to Pacific Northwest tributaries each year and providing food for over 130 wildlife species, including Orca, bears, and wolves. The salmon and steelhead sustained the cultures and economies of Tribal Nations since time immemorial, and in turn, Tribes successfully managed these fisheries for millennia.

Today, the river provides energy to communities and business, irrigation water for thousands of farms, transportation services, recreational opportunities, and vital habitat for fish and wildlife species.

On March 21, 2022, we convened a Nation-to-Nation consultation between our agencies and departments and leaders and representatives from the Tribes of the Columbia River Basin. We heard clearly the request for accountability for actions by the U.S. Government that have caused harm to the ecology of the river, its tributaries, and importantly, its first residents.

Since colonization of the Pacific Northwest, numerous Tribal Nations entered into treaties with the United States, ceding millions of acres of their homelands in exchange for and acknowledgement of rights already held, including, critically, the right to fish in all "usual and accustomed places." This exchange was premised on a notion that the salmon and steelhead resources of the region were "inexhaustible,"^[1] a premise that subsequent human activities in the Basin proved false as salmon and steelhead disappeared or significantly declined at many Tribal fishing locations.

From the 1930s to the 1970s, the Federal government constructed a series of 14 multipurpose dams in the Basin to address a myriad of economic challenges, and,

^[1] Washington v. Fishing Vessel Assn., 443 U.S. 658 (1979)

additionally, more than 100 non-Federal dams were constructed. Communities across the Northwest have come to rely on these dams for flood risk management, water supply, irrigation, navigation, and recreation and importantly: reliable and affordable electricity.

The dams also altered free-flowing rivers, affected juvenile fish as they migrate out to sea, impeded adult fish returning to spawn, inundated Tribal fishing areas and sacred sites, and forever displaced people from their homes. In the 1990s, 13 of the Columbia River Basin's salmon populations required the protection of the Endangered Species Act to survive. We have been working to stem the decline ever since.

The Federal Government has spent several billion dollars, in partnership with Tribes, states, and non-governmental organizations, on efforts that contribute to fish recovery. These efforts include modifying the operation and configuration of the federal dams to improve passage conditions for fish, investing in hatchery facilities to produce and supplement Tribal and non-Tribal fisheries and improving fish habitat, changing flow augmentation releases from some projects to counteract warmer water, and implanting programs to transport juvenile fish downstream by barge and truck.

States have also funded recovery programs, purchased, protected, and restored fish and wildlife habitat; and overseen numerous habitat improvement measures. Tribes are also implementing their own comprehensive recovery plans that integrate indigenous and western science to heal the ecosystem through innovative projects.

Despite hard work, ingenuity, great expense, and commitment across all levels of Federal, state, Tribal and local governments and a wide range of stakeholders, many fish populations in the Columbia River Basin—salmon, steelhead, and others— have not recovered, some continue to decline, and many areas remain inaccessible to them. We heard a specific example of a fishery where there has been no measurable improvement, about the ongoing and acute harm experienced by Tribes in blocked areas where salmon and steelhead no longer exist, and about the deep and emotional experience of seeing fish return again.

For the Tribes, their past, present, and future is inextricably linked to the continued existence of salmon and the health of the rivers that support them, which is why the Tribes experience profound consequences from the dwindling salmon runs. As the Affiliated Tribes of Northwest Indians and the National Congress of American Indians explained in resolutions passed last year, the Basin faces not only an environmental crisis, but an environmental justice crisis too.^[2]

The Tribal leaders welcomed the dialogue, and they made clear that they want more than words. They brought ideas to the table and they want action.

^[2] National Congress of American Indians, Resolution #AK-21-009 (June 2021), <https://ncai.org/AK-21-009.pdf>; Affiliated Tribes of Northwest Indians, Resolution #2021-23 (May 2021), <https://atnitribes.org/wp-content/uploads/2021/06/Res-2021-23.pdf>.

We heard calls to support breaching the four dams on the lower Snake River to restore a more natural flow, also about the need to replace the services provided by those dams, and recognition that such a step would require congressional action. This approach has been supported by Idaho Congressman Mike Simpson of Idaho and is being evaluated by Washington Senator Patty Murray in collaboration with Washington Governor Jay Inslee.

We heard a request to fully fund fish and wildlife restoration and to vest in Tribes and states a stronger role in managing those funds. Relatedly, we heard a consistent theme that the current fish mitigation funding is mismatched with the burdens experienced by Tribes: it is too little in light of the scale of the harms and the extent of restoration needed, and the locations and species benefitted are not in proportion to the impacts. We heard a request to support reintroduction of salmon in areas that historically yielded abundant populations, but are fully blocked by dams lacking fish passage: the Upper Columbia and Upper Snake.

We were asked to consider the Basin holistically because of its inherent interconnectedness.

We heard that the expertise and sovereignty of the Tribes should be recognized in federal agency processes and actions that might affect the Basin. We agree. Respecting the sovereignty of Tribal Nations and their knowledge and expertise is a priority for this Administration.

We heard more as well. Each proposal merits serious consideration, and we and our staff are carefully considering all of the input we received.

As we reflect on what we heard, we know that any long-term solution must account for the varied and crucial services provided by the dams, as well as the people, communities, and industries who rely upon them.

We cannot continue business as usual. Doing the right thing for salmon, Tribal Nations, and communities can bring us together. It is time for effective, creative solutions.

We also know that Tribes will continue to be critical partners in the work ahead, and that to work effectively in partnership externally requires that we coordinate across the Federal government internally.

To that end, last fall, the White House Council on Environmental Quality convened an interagency group with leaders from the Department of the Interior, including the Bureau of Indian Affairs, Bureau of Reclamation, and Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, the Department of the Army, including the Army Corps of Engineers, and the Department of Energy, including the Bonneville Power Administration. This interagency group will build on existing analyses to identify a durable path forward that ensures a clean energy future, supports local and regional economies, and restores ecosystem function, while honoring longstanding commitments to Tribal Nations.

Crafting an equitable long-term solution requires broad input; so, our staff has also conducted listening sessions with stakeholders in the region to hear their perspective. Finally, we have engaged a team of experienced mediators to facilitate a transparent and productive public policy dialogue with all of the sovereigns and stakeholders in the region. If you would like to share information with us, please email us at salmon@ceq.eop.gov. We look forward to hearing from you.

Deb Haaland, Secretary of the Department of the Interior

Jennifer M. Granholm, Secretary of the Department of Energy

Michael Connor, Assistant Secretary of the Army for Civil Works

Brenda Mallory, Chair of the Council on Environmental Quality

Dr. Richard W. Spinrad, Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator